



# 2023 General Session Tax Bills

Revenue and Taxation Interim Committee | May 17, 2023

## Passed Bills

### Income Tax

#### H.B. 54 Tax Revisions

This bill:

- amends the corporate franchise and income tax rates;
- amends the individual income tax rate;
- adds to the taxpayer tax credit an additional Utah personal exemption in the year of a qualifying dependent's birth;
- expands eligibility for the social security benefits tax credit by increasing the thresholds for the income-based phaseout;
- modifies the calculation of the earned income tax credit;
- removes the state sales and use tax imposed on amounts paid or charged for food and food ingredients; and
- makes technical and conforming changes.

#### H.B. 56 Tax Assessment Amendments

This bill:

- defines terms;
- requires a county assessor to provide certain assessment data to the commission;
- establishes a date by which the county assessor must provide the assessment data to the commission;
- permits the commission to review the county's assessment data and to provide findings and make recommendations to the county;
- permits the commission to subscribe to a market data service; and
- establishes requirements for a pass-through entity when filing an amended return.

#### H.B. 130 Adoption Tax Credit

This bill:

- defines terms;
- enacts a nonrefundable and a refundable individual income tax credit for expenses related to the adoption of a child, for which eligibility depends on the individual's income;
- provides for apportionment of the tax credit;
- requires the Department of Workforce Services to certify certain information regarding an individual's eligibility for an adoption expense tax credit and to share that information with the State Tax Commission;
- repeals an individual income tax credit for adoption of a child with special needs; and
- makes technical and conforming changes.

#### H.B. 144 High Cost Infrastructure Development Tax Credit Amendments

This bill:



- provides that the corporate high cost infrastructure development tax credit does not automatically expire for lack of use before the 2027 tax year;
- modifies the definition of "high cost infrastructure project" to include the storage or production of all fuels;
- defines an "underground mine infrastructure project";
- adds an "underground mine infrastructure project" to the definition of "infrastructure" for purposes of being eligible for a high cost infrastructure development income tax credit;
- includes severance tax revenue in the calculation of the taxpayer's high cost infrastructure development tax credit; and
- provides that a high cost infrastructure project that begins in the taxable year before an applicant makes a tax credit application is eligible for a tax credit.

#### H.B. 170 Child Tax Credit Revisions

This bill:

- enacts a nonrefundable child tax credit; and
- provides for apportionment of the child tax credit.

#### H.B. 364 Housing Affordability Amendments

This bill:

- modifies provisions related to the moderate income housing reporting requirements for certain cities and counties;
- allows a city or county to appeal the Housing and Community Development Division's determination of noncompliance in relation to city and county moderate income housing reports;
- establishes an appeal board to hear and decide appeals in relation to city and county moderate income housing reports;
- requires the Department of Workforce Services to report annually on expenditures authorized by the Utah Housing Preservation Fund;
- allows for state low-income housing tax credits to be allocated, by pass-through, to certain business entities;
- increases the aggregate annual amount of state low-income housing tax credits that may be allocated in certain years;
- allows a taxpayer to claim a state low-income housing tax credit before final certification from the Utah Housing Corporation in certain circumstances;
- requires the Legislature to conduct reviews of the aggregate annual amount of state low-income housing tax credits that the Utah Housing Corporation is authorized to allocate and has allocated; and
- makes technical and conforming changes.

#### H.B. 528 Utah Energy Act Amendments

This bill:



- prohibits a taxpayer, claimant, estate, or trust from claiming or carrying forward a renewable energy system tax credit and an alternative energy development tax credit in the same taxable year.

#### S.B. 81 Property Tax Deferral Revisions

This bill:

- modifies defined terms;
- addresses when deferred property taxes come due;
- allows a surviving spouse to take ownership of residential property without triggering an obligation to repay deferred property taxes;
- clarifies the requirements for recording and maintaining a lien securing payment of deferred property taxes;
- for certain deferrals, requires the owner be current on all property tax and tax notice charges;
- establishes penalties for providing false information to a county related to a deferral or an abatement; and
- makes technical and conforming changes.

#### S.B. 153 Governor's Office of Economic Opportunity Amendments

This bill:

- defines terms;
- requires the Governor's Office of Economic Opportunity (office) to report certain information regarding reinvestment agencies to the Legislature;
- expands the nonvoting membership of the Unified Economic Opportunity Commission;
- expands the membership of the Unified Economic Opportunity Commission's Women in the Economy Subcommittee;
- modifies provisions relating to the office's authorization of economic development tax credits;
- modifies provisions relating to the office's award of loans and grants from the Industrial Assistance Account;
- repeals limitations on the office's use of funds from the State Small Business Credit Initiative Program Fund for administration;
- modifies provisions relating to the office's award of grants under the Economic Assistance Grant Program;
- establishes the Redevelopment Matching Grant Program for supporting certain projects related to housing and water conservation;
- allows the office to award grants to associations of governments under the office's Rural Opportunity Program;
- allows for motion picture incentives that are available only for rural productions to be available for productions occurring in certain second class counties;
- renames the Utah Immigration Assistance Center to the Utah Center for Immigration and Integration and modifies the center's duties; and
- makes technical and conforming changes.



### S.B. 203 Corporate Tax Amendments

This bill:

- provides that a corporate taxpayer may carry forward a Utah net loss arising from a taxable year beginning on or after January 1, 2008, for an unlimited number of years, subject to a cap on the amount of the loss carry forward at 80% of taxable income; and
- makes technical and conforming changes.

### S.B. 223 Charitable Contribution Amendments

This bill:

- creates the Nonprofit Capacity Fund;
- allows a taxpayer to contribute to the Nonprofit Capacity Fund through the income tax return;
- creates the Nonprofit Capacity Grant Program in the Department of Cultural and Community Engagement (department);
- specifies how the department shall administer the Nonprofit Capacity Grant Program; and
- makes technical changes.

### S.J.R. 10 Proposal to Amend Utah Constitution - Income Tax

This resolution proposes to amend the Utah Constitution to:

- require taxes on intangible property and income to be used to:
  - maintain a statutory public education funding framework; and
  - fund a budgetary stabilization account; and
- permit tax on intangible property and income to be used to support state needs in addition to other permitted uses.

## **Sales and Use Tax**

### H.B. 392 Rural County Health Care Facilities Tax Amendments

This bill:

- defines terms;
- clarifies that a third, fourth, fifth, or sixth class county may use revenue from a rural county health care facilities tax to fund rural emergency medical services;
- allows certain second class counties to impose a rural county health care facilities tax within all or a portion of the county to fund emergency medical services;
- establishes requirements for a second class county to impose a rural county health care facilities tax within a portion of that county; and
- makes technical corrections.

### H.B. 416 Transient Room Tax Amendments

This bill:



- expedites the repeal dates of certain subsections under Sections 17-31-2 and 17-31-5.5.

#### H.B. 417 Motor Vehicle Tax Amendments

This bill:

- provides the circumstances under which a county may use the revenue collected from a county tax on rental vehicles to mitigate the impacts of tourism; and
- makes technical changes.

#### S.B. 14 Leased Tangible Personal Property Tax Amendments

This bill:

- addresses the requirements for obtaining a temporary permit for a leased vehicle;
- provides that the sale of leased tangible personal property from the lessor to the lessee is subject to sales and use tax; and
- makes technical and conforming changes.

#### S.B. 75 Sand and Gravel Sales Tax Amendments

This bill:

- distributes the local sales and use tax revenue from sales made by ready-mix concrete manufacturers to each county, city, and town with a sand and gravel extraction site within its boundaries;
- specifies a formula by which the State Tax Commission apportions the revenue;
- requires the county, city, or town to use the revenue for class B and class C roads;
- provides direction related to sourcing in-state sales made by certain establishments; and
- makes technical and conforming changes.

#### S.B. 82 Sales Tax Amendments

This bill:

- clarifies that the commission requires a seller to renew an exemption certificate when more than 12-months elapse between transactions between a seller or certified provider and a purchaser.

#### S.B. 121 Car-sharing Amendments

This bill:

- enacts provisions relating to business platforms that connect motor vehicle owners with drivers to enable the sharing of motor vehicles for consideration;
- enacts consumer protection provisions relating to a car-sharing program, including:
  - required disclosures on a car-sharing agreement;
  - driver requirements; and
  - records of a car-sharing program;
- enacts provisions relating to liability and insurance for claims arising during the period a shared vehicle is used under a car-sharing program;
- prohibits certain local taxes, fees, and charges on peer-to-peer car sharing;
- amends provisions related to taxes on peer-to-peer car sharing;



- clarifies the taxes a marketplace facilitator is required to collect and remit;
- defines terms; and
- makes technical and conforming changes.

#### S.B. 235 Tax Amendments

This bill:

- exempts certain sales of rolling stock; and
- exempts purchases of sand, gravel, rock aggregate, cement products, or construction materials between certain companies with common ownership or control.

## Property Tax

#### H.B. 151 Veteran Property Tax Revisions

This bill:

- increases the amount of taxable value that a disabled veteran may have exempted from property tax.

#### H.B. 169 Urban Farming Assessment Act Amendments

This bill:

- provides that a county may limit an authorization of urban farming to either cultivating crops or engaging in livestock production or may allow both; and
- makes technical changes.

#### H.B. 231 Low Income Housing Property Tax Exemption

This bill:

- provides the circumstances under which a private owner of property used as permanent supportive housing qualifies as a "nonprofit entity" for purposes of the exclusive use property tax exemption.

#### H.B. 257 Greenbelt Property Amendments

This bill:

- requires a county or commission to waive the acreage requirement for agricultural assessment if the assessed property fails to meet the acreage requirement because of a qualified utility or governmental entity exercising eminent domain or threatening eminent domain; and
- makes technical and conforming changes.

#### H.B. 345 Local District Property Tax Amendments

This bill:

- defines terms;



- requires a member of a board of trustees of certain local districts to report contemplated property tax increases and certain bond issuances; and
- allows a legislative body to express the legislative body's sentiment regarding the local district's contemplated property tax increase or bond issuance.

#### H.B. 397 Urban Farming Assessment Amendments

This bill:

- provides that a portion of land withdrawn from assessment under the Farmland Assessment Act is not subject to a rollback tax if the land is eligible for, and the owner applies for, assessment under the Urban Farming Assessment Act;
- establishes a renewal application under the Urban Farming Assessment Act;
- for property that was previously assessed under the Farmland Assessment Act, addresses eligibility and application of the rollback tax under the Urban Farming Assessment Act; and
- makes technical and conforming changes.

#### H.B. 539 Veteran Property Tax Exemption

This bill:

- creates a process for a veteran with a 100% service-connected disability that is permanent and total to apply for a veteran armed forces property tax exemption before the veteran purchases a residence.

#### S.B. 34 Water Infrastructure Funding Study

This bill:

- directs the Department of Natural Resources (department) to:
  - study the use of property tax revenue to fund water infrastructure, treatment, and delivery; and
  - make recommendations for future funding; and
- requires the department to submit a written report to the Natural Resources, Agriculture, and Environment Interim Committee and the Revenue and Taxation Interim Committee.

#### S.B. 115 Notice of Tax Sale Requirements

This bill:

- makes changes to how a county auditor in a county of the first class provides notice of a tax sale;
- allows a county auditor in a county of the first class to provide notice of a tax sale by publishing notice on the county auditor's or county's website; and
- makes technical and conforming changes.

#### S.B. 157 Personal Property Tax Amendments

This bill:



- repeals the election for assessment and taxation of noncapitalized personal property according to a schedule.

## Other Tax Bills

### H.B. 58 Tax Modifications

This bill:

- makes corrections to provisions related to tax, including eliminating redundant or obsolete language and updating cross-references;
- modifies the required contents of a property tax notice;
- clarifies that the State Tax Commission, not the Division of Finance, is responsible for certain sales tax deposits and transfers; and
- repeals language related to expired income tax credits.

### H.B. 116 Intergenerational Poverty Solution

This bill:

- defines terms;
- creates the Education Savings Incentive Program (the program), including:
  - providing a process for an individual identified by the Department of Workforce Services as experiencing intergenerational poverty to receive a state match of deposits into certain 529 savings accounts;
  - providing for the sharing of information between the Department of Workforce Services, the Utah Educational Savings Plan, and the State Tax Commission; and
  - requiring the Department of Workforce Services and the Utah Educational Savings Plan to provide information about the program to the Legislature through the department's annual report; and
- sets a termination date for the program but requires legislative review before the termination date to determine whether the Legislature should extend the program.

### H.B. 301 Transportation Tax Amendments

This bill:

- increases vehicle registration fees by \$7;
- amends provisions related to and reduces the rate for motor fuel tax;
- imposes a tax on the sale of electricity at an electric vehicle charging station or an electric vehicle charging subscription and deposits the revenue into the Transportation Fund; and
- makes technical changes.

### H.B. 360 Unclaimed Property Amendments

This bill:





- allows the State Tax Commission to provide the unclaimed property administrator certain information from income tax returns for the purpose of returning property to its owner.

#### H.B. 513 Great Salt Lake Amendments

This bill:

- modifies provisions related to severance taxes;
- clarifies minerals with royalties going to the Great Salt Lake Account;
- addresses mineral leases or royalty agreements related to the Great Salt Lake;
- provides for royalties for certain elements and minerals;
- requires a study and reporting;
- defines terms;
- codifies legislative findings;
- modifies the Division of Forestry, Fire, and State Lands' management responsibilities for the Great Salt Lake, including addressing rulemaking;
- establishes emergency management responsibilities and powers;
- addresses force majeure; and
- makes technical and conforming changes.

#### S.B. 107 Oil and Gas Severance Tax Amendments

This bill:

- defines terms;
- directs the Division of Finance to transfer portions of the oil and gas severance tax to the Transportation Investment Fund; and
- makes technical and conforming changes.

#### S.B. 256 Severance Tax Revenue Amendments

This bill:

- clarifies the timing for the deposit of severance tax revenue into state agency accounts.

#### S.B. 263 Electronic Cigarette and Other Nicotine Product Tax Amendments

This bill:

- provides for proportional reductions in the amounts distributed from the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account (the account) if the revenue deposited into the account is insufficient to fund the statutory amounts;
- extends the use of the account revenue to include funding compliance personnel within the State Tax Commission; and
- requires the State Tax Commission to:
  - increase enforcement of the collection of the electronic cigarette and nicotine product tax;
  - conduct a study on enforcement and collection of the electronic cigarette and nicotine product tax; and



- report the State Tax Commission's findings and recommendations to the Revenue and Taxation Interim Committee.

#### S.B. 284 Aviation Fuel Incentive Amendments

This bill:

- directs the Division of Finance to deposit money from severance tax revenue into an aviation fuel incentive account;
- enacts provisions relating to an aviation fuel incentive, including provisions that:
  - authorize the Utah Inland Port Authority to award an aviation fuel incentive, under certain circumstances, to an airline carrier that meets certain requirements;
  - establish application procedures and requirements; and
  - establish maximum amounts to be awarded as an aviation fuel incentive; and
- makes technical and conforming changes.

#### S.C.R. 1 Concurrent Resolution Supporting the Tax Cuts and Jobs Act

This resolution:

- recognizes the various positive economic benefits to individual and corporate taxpayers due to the Tax Cuts and Jobs Act of 2017;
- examines the consequences of the expiration of the Act in 2025; and
- encourages Congress to permanently extend the Act to retain the economic benefits to taxpayers.



## Filed bills

### **Policies addressed in passed bills**

#### H.B. 88 Social Security Tax Amendments

This bill:

- expands eligibility for the social security benefits tax credit by increasing the thresholds for the income-based phaseout.

#### H.B. 101 Food Sales Tax Amendments

This bill:

- removes the state tax imposed on amounts paid or charged for food and food ingredients; and
- makes technical and conforming changes.

#### H.B. 172 Food Sales Tax Modifications

This bill:

- removes the state sales and use tax from amounts paid or charged for food and food ingredients;
- excludes candy from the definition of food and food ingredients; and
- makes technical and conforming changes.

#### H.B. 213 Social Security Tax Credit Amendments

This bill:

- establishes a limit on the amount of social security benefit that is eligible for the tax credit; and
- removes the income limitations on eligibility for the tax credit.

#### H.B. 240 Income Tax Amendments

This bill:

- amends the corporate franchise and income tax rates; and
- amends the individual income tax rate.

#### H.B. 275 Tax Dependent Amendments

This bill:

- adds to the taxpayer tax credit an additional Utah personal exemption in the year of a qualifying dependent's birth.

#### H.B. 298 Veteran Property Tax Amendments

This bill:

- defines terms;



- increases the amount of taxable value that a disabled veteran may have exempted from property tax;
- provides that a veteran with a 100% service-connected disability that is permanent and total may choose between the existing exemption from property tax or an exemption equal to 100% of the taxable value of the veteran's primary residence;
- provides the circumstances under which a veteran who exercises a choice between the existing property tax exemption and a 100% primary residential exemption has to reapply for the exemption; and
- makes technical and conforming changes.

#### H.B. 480 Child Tax Credit Amendments

This bill:

- creates a refundable child tax credit; and
- provides for apportionment of the child tax credit.

#### S.B. 164 Food Tax Amendments

This bill:

- exempts from sales and use tax amounts paid or charged for an item eligible for purchase by any purchaser under the Special Supplemental Nutrition Program for Women, Infants, and Children.

## **Income Tax**

#### H.B. 83 Tax Credit for Educator Expenses

This bill:

- defines terms; and
- enacts a nonrefundable individual income tax credit that an eligible educator may claim for certain out-of-pocket classroom expenses.

#### H.B. 407 Incentives Amendments

This bill:

- requires each state agency that issues a tax credit certificate for a tax credit to provide the State Tax Commission with an electronic link to a webpage where the state agency lists the names of the claimants and amounts of tax credits the claimants are eligible to claim;
- requires the State Tax Commission to create a webpage that links to each state agency's list of tax credit claimants;
- requires the Revenue and Taxation Interim Committee to:
  - evaluate whether performance metrics or reporting requirements for the tax credit would improve the committee's evaluation of the benefits to the taxpayer and the state from the tax credit and, if so, prepare legislation recommending specific performance metrics or reporting requirements; and



- evaluate the effectiveness of the process for claiming a research activities tax credit, including receiving recommendations for improvement from the State Tax Commission, and prepare legislation if the committee recommends any changes to the process;
- modifies reporting and study requirements related to repealed income tax credits;
- creates a statutory certificate process for the historic preservation tax credits;
- requires the State Historic Preservation Office to report the number of estimated new jobs created by approved historic rehabilitation work in the Department of Cultural and Community Engagement's annual report;
- modifies the corporate and individual recycling market development zone tax credits to eliminate the expenditures credit;
- clarifies the production capacity requirements for solar equipment to be eligible for the renewable energy systems tax credits;
- requires the Governor's Office of Economic Opportunity to report in the annual report the amount of new state revenue generated from motion picture projects within the state;
- repeals the following individual income tax credits:
  - qualifying solar projects; and
  - investment in life sciences establishments;
- repeals the Technology and Life Science Economic Development Act;
- repeals the corporate and individual alternative energy development tax credits;
- repeals the Alternative Energy Development Tax Credit Act; and
- makes technical and conforming changes.

#### H.B. 424 Historic Rehabilitation Tax Credit Amendments

This bill:

- defines terms;
- expands eligibility for the tax credit to include rehabilitation expenditures made for certain historic commercial buildings;
- provides that a person may assign all or a portion of a historic rehabilitation tax credit; and
- makes technical and conforming changes.

#### S.B. 252 Conservation Tax Incentive Amendments

This bill:

- enacts nonrefundable corporate and individual tax credits for the purchase and installation of water efficient landscaping and fixtures by a homebuilder;
- establishes a process for a homebuilder to receive a tax credit certificate from the Division of Water Resources (the division) before claiming the tax credit;
- establishes a cap on the amount of tax credit certificates that the division may issue per year; and
- schedules the repeal of the tax credit but requires legislative review before the repeal.



#### S.B. 278 Cannabis Business Tax Credit Amendments

This bill:

- enacts a nonrefundable income tax credit for business expenses related to transporting or selling medical cannabis within the state.

#### S.B. 281 Modifications to Military Income Tax

This bill:

- enacts a nonrefundable income tax credit for certain members of the armed forces who are deployed on active military duty outside of the United States.

### **Sales and Use Tax**

#### H.B. 282 Child Care Center Sales Tax Exemption

This bill:

- exempts from sales and use tax amounts paid or charged for construction materials used to open or expand a child care program; and
- provides a repeal date for the exemption following legislative committee review.

#### H.B. 286 Great Salt Lake Funding Modifications

This bill:

- changes the recipient of the revenue generated from a 1/16% sales and use tax (the earmarked revenue) from the Water Infrastructure Restricted Account to the Great Salt Lake Account for five years;
- requires legislative review before the recipient of the earmarked revenue reverts to the Water Infrastructure Restricted Account; and
- makes technical and conforming changes.

#### H.B. 353 Sales Tax Return Requirements

This bill:

- makes technical changes; and
- modifies who may be required to obtain a sales and use tax license.

#### H.B. 500 County Sales Tax Amendments

This bill:

- defines terms;
- removes the requirement for a county legislative body to receive voter approval to change the allocation for a certain local option sales and use tax;
- amends the distribution for a certain local option sales and use tax;
- provides the State Tax Commission with direction on how to distribute the city and town portion of the sales and use tax within a county;



- specifies the ways a county, city, or town may expend the sales and use tax revenue when a county selects certain allocations;
- provides requirements for a county to meet if the county elects to change distribution allocations;
- eliminates the deadline for a county to impose the local option sales and use tax; and
- makes technical changes.

#### H.B. 525 Eyewear Sales Tax Amendments

This bill:

- amends definitions to include corrective eyeglasses and contact lenses within the definition of "prosthetic device," which has the effect of exempting these items from sales and use tax.

#### S.B. 210 State Golf Course Amendments

This bill:

- diverts sales and use taxes related to state-owned golf courses to an enterprise fund;
- amends a definition that includes a golf course as a facility;
- defines and modifies terms;
- creates as an independent state agency known as the State Golf Authority, including:
  - providing for an executive director;
  - addressing powers and duties;
  - clarifying obligations and liabilities;
  - addressing relation to other acts;
  - enacting conflict provisions;
  - creating an enterprise fund; and
  - giving bonding authority;
- addresses nonlapsing appropriations;
- modifies provisions related to the State Park Fees Restricted Account;
- repeals a provision related to golf fees; and
- makes technical and conforming changes.

#### S.B. 255 Sales and Use Tax Amendments

This bill:

- allows a county legislative body of the third, fourth, fifth, or sixth class to reauthorize the imposition of a tax that provides funding for botanical, cultural, recreational, and zoological organizations or facilities after the expiration of the initial ten-year period that was authorized by residents of the county.

#### S.B. 279 Sales Tax Modifications

This bill:

- allows a city, town, or county to put to vote an authorization for funding for botanical, cultural, recreational, and zoological organizations or facilities that allows the tax collection period to be extended to run simultaneously with the repayment of a bond.



## Property Tax

### H.B. 260 Property Tax Income Requirements

This bill:

- increases the income limit for a claimant to qualify for a homeowner's credit;
- increases the income limit for a claimant to qualify for a renter's credit; and
- makes technical and conforming changes.

### H.B. 296 Minimum Basic Tax Rate Reduction

This bill:

- reduces the revenue target for revenue that the minimum basic tax generates;
- repeals the weighed pupil unit (WPU) value rate;
- repeals obsolete provisions related to a past freeze on the minimum basic tax rate, including the equity pupil tax rate; and
- makes technical and conforming changes.

### H.B. 372 Local School District Referendum Amendments

This bill:

- defines terms;
- provides that a new tax or a tax increase passed by a local school board may be referred to voters for their approval or rejection; and
- makes technical and conforming changes.

### H.B. 454 Property Tax Requirements

This bill:

- limits the amount of property tax owed by senior homeowners under a certain income; and
- establishes penalties for providing false information to or failing to notify a county related to an application to limit a senior's property tax.

### S.B. 141 Reduction of Minimum Basic Tax Rate

This bill:

- reduces the revenue target for revenue that the minimum basic tax generates;
- repeals the weighted pupil unit (WPU) value rate;
- repeals obsolete provisions related to a past freeze on the basic tax rate, including the equity pupil tax rate; and
- makes technical and conforming changes.

### S.B. 228 Property Amendments

This bill:





- requires, when ownership of certain real property is transferred, the seller or the closing agent make available information about the property, including sales price, to a county assessor;
- excludes sales price information shared with the State Tax Commission or the county assessors from the definition of a "private record" for purposes of the Government Records Access and Management Act;
- authorizes disclosure of the sales price information under certain circumstances;
- exempts use of property owned by a state institution of education that operates as a private housing facility from the privilege tax; and
- makes technical changes.

#### S.B. 294 Tax Levy Amendments

This bill:

- extends the period of time in which the state or a taxing entity has to pay a taxpayer that receives a reduction in the amount of taxes owed following an appeal.

#### S.B. 295 Dedicated Infrastructure District Act

This bill:

- enacts the Dedicated Infrastructure District Act;
- defines terms;
- establishes objectives and requirements for the creation of a dedicated infrastructure district to finance the costs of certain infrastructure and improvements;
- provides for the membership of the board of trustees of a dedicated infrastructure district;
- establishes requirements for the charter governing a dedicated infrastructure district;
- requires a dedicated infrastructure district to engage certain professional support;
- allows a dedicated infrastructure district to issue bonds and levy taxes with certain limitations;
- allows an individual to contest a tax or fee imposed by a dedicated infrastructure district or to contest the creation of a dedicated infrastructure district; and
- makes technical changes.

#### S.J.R. 1 Proposal to Amend Utah Constitution - Revenue and Taxation

This resolution proposes to amend the Utah Constitution to:

- prohibit the State, or a political subdivision of the State, from imposing a tax on the transfer of real property.

#### S.J.R. 3 Proposal to Amend Utah Constitution - Property Tax Exemptions

This resolution proposes to amend the Utah Constitution to:

- authorize the creation in statute of a property tax exemption for privately owned real property that is used to support public education, children, or individuals with a disability.



## Other Tax Bills

### H.B. 422 Initiative Amendments

This bill:

- contingent on the passage of a constitutional amendment, modifies the vote percentage required to pass a statewide initiative that would increase taxes; and
- makes technical changes.

### H.B. 514 Fossil Fuels Tax Modifications

This bill:

- imposes a carbon dioxide emissions tax, including:
  - defining terms;
  - requiring records;
  - addressing rate and remittance requirements for tax on motor fuel, special fuel, aviation fuel, natural gas, large emitter emissions, and electricity;
  - granting rulemaking authority; and
  - creating restricted accounts in which to deposit carbon emissions tax revenue and providing the types of expenditures that may be made from the restricted accounts;
- converts the nonrefundable state earned income tax credit into a refundable state earned income tax credit;
- provides for apportionment of the state earned income tax credit;
- requires the State Tax Commission to reimburse the Income Tax Fund from the Carbon Emissions Revenue Restricted Account for earned income tax credits claimed;
- eliminates the state sales and use tax on food;
- eliminates the state sales and use tax on residential fuel and commercial fuel;
- reimburses the General Fund from the Carbon Emissions Revenue Restricted Account the amount of revenue lost from the removal of the sales and use tax on food, residential fuel, and commercial fuel;
- modifies the formulas for calculating earmarks of sales and use tax revenue to account for the deposit of carbon emissions tax revenue; and
- makes technical and conforming changes.

### H.B. 557 Tax Increment Financing Revisions

This bill:

- requires agencies to report certain information to the Governor's Office of Economic Opportunity;
- provides penalties for failing to comply with reporting requirements;
- provides for the allocation of project area funds that are unspent five years after the project area collection period ends; and



- requires project area plans to include the rationale for using tax increment financing, including an analysis of whether the goals for a project area could reasonably be expected to be accomplished through private development.

#### H.J.R. 11 Joint Resolution for Establishing a State Social Cost of Carbon

This resolution:

- recognizes the role of greenhouse gas emissions in driving global climate change;
- recognizes the significant risks posed by climate change to economic, human, and natural systems;
- describes "social cost of carbon" estimates and their use in federal and state policymaking;
- resolves that the Legislature promotes the development or adoption of state social cost of carbon estimates; and
- resolves that social cost of carbon estimates be regularly updated.

#### S.B. 202 Fuel Tax Amendments

This bill:

- reduces the motor fuel tax rate by the equivalent of 4.5 cents;
- modifies the increases of the motor fuel tax rate based on changes to the Consumer Price Index; and
- makes technical changes.

#### S.B. 248 Tobacco Amendments

This bill:

- creates a temporary events permit for the sale of tobacco and nicotine products;
- authorizes telephone, mail, Internet, and other remote orders of a cigar or pipe tobacco;
- provides for the licensing, bonding, and taxation of cigar and pipe tobacco transactions between a remote seller and a consumer in the state;
- establishes a criminal penalty for failing to comply with the licensing requirement; and
- makes technical and conforming changes.

#### S.B. 268 Lithium Severance Tax Amendments

This bill:

- clarifies that chloride compounds and salts that contain lithium are considered metalliferous minerals; and
- makes technical changes.